IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION Ns: 14687, 15149, 15150, 15151, 17691,

17925, 17491 and 19335 of 2002

WRIT PETITION NO : 14687 of 2002

Between:

1. S. Raghavendra Rao, S/o. S. Subba Rao,
   R/o. Tangutur, Prakasham district.

2. N. Ranga Rao, S/o. N. Anjaiah
   R/o. Rudravaram, Prakasam District.

3. K. Sivakumar, S/o. K. Nageswara Rao,
   R/o. Lingam Guntla, Prakasam District.

4. N. Harikrishna, S/o. N. Koteswara Rao,
   R/o. Gummanampadu, Prakasam District.

5. B. Ramesh Babu, S/o. B. Venkateswarlu,
   R/o. Chilakapadu, Prakasam District.

6. R. Suresh, S/o. R. Koteswara Rao,
   R/o. Chilkapadu, Prakasam District.

7. T. Lakshmikiran, S/o. T. Nageswara Rao,
R/o. Inamana Mellur, Prakasam District.

8. P. Vamsikrishna, S/o. P. Paparao,
R/o. ILTD, Prakasam District.

9. P.V.Ravi, S/o. P. Narasimham,
R/o. Ponduru, Prakasam District.

10. B. Durga Rao, S/o. B. Ramanaiah,
R/o. Maddulur, Prakasam District.

11. J. Sravanthi, D/o. J.Subba Rao,
R/o. S.N.Padu, Prakasam District.

12. Sk. Sarthaj Begum, D/o. Sk. Gouse Mohiddin,
R/o. S.N. Padu, Prakasam District.

13. P. Pavani, D/o. P. Venkateswarlu,
Ponduru, Prakasam District.

14. B. Silpa, D/o. B. Sita Rambabu,
R/o. Gullapalli, Prakasam District.

15. K. Kalyani, D/o. K. Venkateswarlu,
R/o. ILTD, Prakasam District.

16. A. Chandrababu Naidu, S/o. A.Venkateswarlu,

R/o. Pamidipadu, Prakasam District.

17. K. Surendrababu, S/o. K. Gopalaswamy,
R/o. Medarametla, Prakasam District.

18. CH. Subba Reddy, S/o. CH. Kasaiah,
R/o. Nachreddipalem, Prakasam District.

19. M. Ramesh, S/o. M. Anjaneyulu,
R/o. Nandipadu, Prakasam District.

20. P. Srinivasa Rao, S/o. P. Poornachandra Rao,
R/o. Machavaram, Prakasam District.

21. K. Anil Kumar, S/o. K. Hanumantha Rao,
R/o. Challapalem, Prakasam District.

22. G. Ashok Kumar, S/o. G. Ramanjaneyulu,
R/o. N.G.Padu, Prakasam District.

23. B. Sivaganga Rao, S/o. B. Venkatasubbaiah,
N.G.Padu, Prakasam District.

24. K. Singa Rao, S/o. K. Subba Rao,
R/o. N.G.Padu, Prakasam District.

25. N. Hanumantha Rao, S/o. N. Anjaneyulu,
R/o. Prasangulapadu, Prakasam District.

26. M. Swathi, D/o. M. Srinivasa Reddy,

R/o. Medarametla, Prakasam District.

..... PETITIONERS

AND

1. Government of Andhra Pradesh, rep by its Secretary, Education Department, Secretariat Buildings, Hyderabad.

2. A.P. State Council of Higher Education,

Government of Andhra Pradesh, Hyderabad.

3. A.P. State Road Transport Corporation, rep. By its

Managing Director, Hyderabad.

4. A.P. State Road Transport Corporation,

Rep. By its Regional Manager, Ongole, Prakasam District.

5. NNR& CL Degree College, Ongole,

Rep.by its Correspondent, Ongole, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or direction more particularly in nature of mandamus by declaring the action of the respondents in denying concessional bus passes to the students of 5th respondent college on par with other recognized colleges as arbitrary, illegal and discriminatory and direct the respondents to extend the facility of consessional bus passes to the students of 5th respondent college by issuing appropriate writ of mandamus, order or direction.

Counsel for the Petitioners: MR.M.V.S.SURESH KUMAR

Counsel for the Respondent No.1: The G.P. for Higher Education.

Counsel for the Respondent No. 2: Mr.K. Ramesh Babu

Counsel for the Respondents 3 and 4 :Mr. P.Venkateswarlu, SC for APSRTC

Counsel for the Respondent No.5: None appeared.

WRIT PETITION NO : 15149 of 2002

Between:

1. A. Rama Rao, S/o. Yallaiah,
R/o. Jammalapalem, Prakasam District.

2. Sk. Shahinabhi, S/o. Khajavali,
R/o. Maddiralapadu, Prakasam District.

3. L. Madhavi, D/o. Ramachandra Reddy,
R/o. Tangutur, Prakasam District.

4. K. Sravanthi, D/o.Lakshmi Narayana,
R/o. Maddirapadu, Prakasam District.

5. M. Anitha, D/o. Subba Rao,
R/o. Ammanabrolu, Prakasam District.

6. P. Sridevi, D/o. P. Rama Rao,
R/o. Maddiralapadu, Prakasam District.

7. K. Gayathri, D/o. Srinivasa Rao,
R/o. Maddiralapadu, Prakasam District.

8. P. Anil Kumar, S/o. P. Rama Rao,
R/o. Peramitta, Prakasam District.

9. M. Surendra, S/o. Sambaiah,
R/o. Maddipadu, Prakasam District.

10. K. Ramakrishna Reddy, S/o. Siva Reddy,
R/o. Kondamuru, Prakasam District.

..... PETITIONERS

AND

1. Government of Andhra Pradesh, rep. by its Secretary,

   Education Department, Secretariat Buildings, Hyderabad.

2. A.P. State Council of Higher Education,

   Government of Andhra Pradesh, Hyderabad.

3. A.P. State Road Transport Corporation,

   Rep. by its Managing Director, Hyderabad.

4. A.P. State Road Transport Corporation,

   rep. by its Regional Manager, Ongole, Prakasam District.

5. Sri Pratibha Degree College, rep. by its Correspondent,

   Ongole, Prakasam District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or direction more particularly in nature of mandamus by declaring the action of the respondents in denying concessional bus passes to the students of 5th respondent college on par with other recognized colleges as arbitrary, illegal and discriminatory and direct the respondents to extend the facility of concessional bus passes to the students of 5th respondent college by issuing appropriate writ of mandamus, order or direction and pass such other order or orders, as may be deemed fit and proper.

Counsel for the Petitioners: MR.M.V.S.SURESH KUMAR

Counsel for the Respondent No.1: G.P. for Higher Education.

Counsel for the Respondent No.2: Mr. K.Ramesh Babu.

Counsel for the Respondent Nos.3 and 4: Mr. P.Venkateswarlu, Standing Counsel for A.P.S.R.T.C.

Counsel for the Respondent No.5: None appeared.

WRIT PETITION NO : 15150 of 2002

Between:

1. K. Pavan Kumar, S/o. K. Subba Rao,

R/o. Kothapatnam, Prakasham District.

2. D.V.Nageswara Rao, S/o. D. Hussain,
R/o. Kothapatnam, Prakasam District.

3. M.V. Prakash, S/o. M. Sri Ram Murthy,
R/o. Tangtur, Prakasam District.

4. T. Naveen Kumar, S/o. T. Mallikarjun,
R/o. Tangtur, Prakasam District.

5. K. Durga Prasad, S/o. K. Raja,
R/o. Kothapatnam, Prakasam District.

6. K. Brahmaiah, S/o. K. Koteswara Rao,
R/o. Alluru, Prakasam District.

7. N. V. Chowdary, S/o. N. Kotaiah,
R/o. Alakurapadu, Prakasam District.

8. T. Naresh, S/o. T. Parvareshwar Rao,
R/o. Kothapatnam, Prakasam District.

9. K. Agneswar Rao, S/o. K. Kotaiah,
R/o. Kothapatnam, Prakasam District.

10. G. Vamsi Krishna Reddy, S/o. G. Bhyaskar Reddy,
R/o. Jangumalli, Prakasam District.

11. G. Ravi Teja, S/o. G. Subba Rao,

R/o. Kothapatnam, Prakasam District.

12. P. Suresh Babu, S/o. P. Seshagiri Rao,

R/o. Kothapatnam, Prakasam District.

13. G. Kiran Kumar, S/o. G. Brahmaiah,

R/o. Kakuturivari palem, Prakasam District.

14. N. Damodar, S/o. N. Brahmaiah,

R/o. Chinna verikampalem, Prakasam District,

15. T. Sai Srinivas, S/o. T. Suryanarayana,

R/o. Gavallapalem, Prakasam District.

..... PETITIONERS

AND

1. Government of Andhra Pradesh, rep by its Secretary, Education Department, Secretariat Buildings, Hyderabad.

2. A.P. State Council of Higher Education,

Government of Andhra Pradesh, Hyderabad.

3. A.P. State Road Transport Corporation, rep. By its

Managing Director, Hyderabad.

4. A.P. State Road Transport Corporation,

Rep. By its Regional Manager, Ongole, Prakasam District.

5. Geetam Degree College, Ongole,

Rep.by its Correspondent, Ongole, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or direction more particularly in nature of mandamus by declaring the action of the respondents in denying concessional bus passes to the students of 5th respondent college on par with other recognized colleges as arbitrary, illegal and discriminatory and direct the respondents to extend the facility of concessional bus passes to the students of 5th respondent college by issuing appropriate writ of mandamus, order or direction.

Counsel for the Petitioners: MR.M.V.S.SURESH KUMAR

Counsel for the Respondent No.1: The G.P. for Higher Education.

Counsel for the Respondent No.2 : Mr. K. Ramesh Babu.

Counsel for the respondent Nos. 3&4 : Mr. P. Venkateshwarlu, Standing Counsel for A.P.S.R.T.C.

Counsel for the Respondent No.5 : None appeared.

WRIT PETITION NO : 15151 of 2002

Between:

1. Kothapalli Naresh, S/o. Hanumantha Rao,

   R/o. Jammulapalem, Prakasam District.

2. Ch.S.N.R. Kumar, S/o. Subba Rao,

   R/o. Vallur, Prakasam District.

3. I. Srinivasa Rao, S/o. Venkateswarlu,

   R/o. Thovagunta village, Prakasam District.

4. Ch. Srikanth, S/o. Chennai,

   R/o. Allur, Prakasam District.

5. M. Subba Rao, S/o. Venkataiah,

   R/o. Allur, Prakasam District.

6. M. Srinivasa Rao, S/o. Anjaiah,

   R/o. Sitarampuram, Prakasam District.

7. B. Naveenbabu, S/o. Narasimha Rao,

R/o. Chirukurapadu, Prakasam District.

8. N. Sravanthi, W/o. Lakshminarayana,

R/o.Chirukurapadu, Prakasam District.

9. K. Hari Babu, S/o. Subba Rao,

R./o. Jammulapalem, Prakasam District.

10. A. Kishore, S/o. Chennaiah,

R/o. Jammulapalem, Prakasam District.

11. K. Venkata Rao, S/o. Venkateswarlu,

R/o. Jammulapalem, Prakasam District.

12. K. Haribabu, S/o. Seshaiah,

R/o. Jammulapalem, Prakasam District.

13. K. Sunil, S/o. Narsimharao,

R/o. Jammulapalem, Prakasam District.

14. B. Suresh, S/o. Subbarao,

R/o.Chinna Venkammapalem, Prakasam District.

15. V. Subbarao, S/o.Ramaiah,

R/o. Chimakurthy, Prakasam District.

16. V. Ramachandra, S/o. Subbareddy,

R/o. Maddanuru, Prakasam District.

17. S. Anil, S/o. Srinivasa Rao,

R/o. Chirala, Prakasam District.

18. P. Sai, S/o. Veeraswamy,

R/o. Maddipadu, Prakasam District.

19. N. Nagesh, S/o. Raghava Rao,

R/o. Vallur, Prakasam District.

20. N.T. Rajesh, S/o. Ramakrishna,

R/o. Ethamukkala, Prakasam District.

..... PETITIONERS

AND

1. Government of Andhra Pradesh, rep by its Secretary, Education Department, Secretariat Buildings, Hyderabad.

2. A.P. State Council of Higher Education,

Government of Andhra Pradesh, Hyderabad.

3. A.P. State Road Transport Corporation, rep. By its

Managing Director, Hyderabad.

4. A.P. State Road Transport Corporation,

Rep. By its Regional Manager, Ongole, Prakasam District.

5. B.A. & K.R. Degree College, Ongole,

Rep.by its Correspondent, Ongole, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or direction more particularly in nature of mandamus by declaring the action of the respondents in denying concessional bus passes to the students of 5th respondent college on par with other recognized colleges as arbitrary, illegal and discriminatory and direct the respondents to extend the facility of consessional bus passes to the students of 5th respondent college by issuing appropriate writ of mandamus, order or direction.

Counsel for the Petitioners: MR.M.V.S.SURESH KUMAR

Counsel for the Respondent No.1: The G.P. for Higher Education.

Counsel for the Respondent No.2 : Mr. K. Ramesh Babu.

Counsel for the Respondent Nos.3&4:Mr. P. Venkateswarlu, Standing Counsel for A.P.S.R.T.C.

Counsel for Respondent No.5: None appeared.

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WRIT PETITION NO : 17691 of 2002

Between:

1. Shaik Yasin, S/o. Rehcem,

   R/o. Kothapatnam Post and Mandal, Prakasam District.

2. Uppalapati Rambabu, S/o. Ramakoti,

   R/o. Kothapatnam Post and Mandal, Prakasam District.

3. Kotta Hariprasad, S/o. Venkateswara Rao,

   R/o. Kothapatnam Post and Mandal, Prakasam District.

4. Kodudi Sree Devi, D/o. Anjaneyulu,

   R/o. Maddipadu, Prakasam District.

5. Chunduri Vijayalakshmi, D/o. Koteswara Rao,

   R./o. N.G.Padu, Prakasam District.

..... PETITIONERS

AND

1. Government of Andhra Pradesh, rep by its Secretary, Education Department, Secretariat Buildings, Hyderabad.

2. A.P. State Council of Higher Education,

   Government of Andhra Pradesh, Hyderabad.

3. A.P. State Road Transport Corporation, rep. By its

   Managing Director, Musheerabad, Hyderabad.

4. A.P. State Road Transport Corporation,

   Rep. By its Regional Manager, Ongole, Prakasam District.

5. Sree Nagarjuna Degree College, Rep.by its Correspondent, Ongole, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order, Writ or direction more particularly in nature of mandamus by declaring the action of the respondents in denying concessional bus passes to the students of 5th respondent college on par with other recognized colleges as arbitrary, illegal and discriminatory and direct the respondents to extend the facility of consessional bus passes to the students of 5th respondent college.

Counsel for the Petitioners: MR.M.BRAHMA REDDY

Counsel for the Respondent No.1: The G.P. for Higher Education.

Counsel for the Respondent No.2 :Mr. K. Ramesh Babu.

Counsel for the respondent Nos.3&4: Mr. P. Venkateshwarlu, Standing Counsel for A.P.S.R.T.C.

Counsel for the Respondent No.5: None appeared.

WRIT PETITION NO : 17925 of 2002

Between:

1. Karampudi Girija Kumari, D/o. Sree Ramulu,

R/o. Veligendla Village & Mandal, Prakasam District.

2. Karampudi Sreenivasulu, S/o. Ramulu,

R/o. Veligendla Village & Mandal, Prakasam District.

3. S. Aruna Kumari, D/o. Lakshmaiah,

R/o. Veligendla Village & Mandal, Prakasam District.

4. M.V. Narayana, S/o. Venkata Subbaiah,

R/o. Veligendla Village & Mandal, Prakasam District.

5. M. Sreenivasa Rao, S/o. Venkateswarlu,

R/o. Nandamarella Village, Kanigiri Mandal, Prakasam District.

(petitioners 2 to 5 are not necessary)

..... PETITIONERS

AND

1. Government of Andhra Pradesh, rep by its Secretary, Education Department, Secretariat Buildings, Hyderabad.

2. A.P. State Council of Higher Education,

Government of Andhra Pradesh, Hyderabad.

3. A.P. State Road Transport Corporation, rep. By its

Managing Director, Musheerabad, Hyderabad.

4. A.P. State Road Transport Corporation,

Rep. By its Regional Manager, Ongole, Prakasam District.

5. Alpha Degree College, Rep.by its Correspondent, Kanigiri, Prakasam District.

6. The A.P. State Road Transport Corporation, rep. By its Depot Manager, Kanigiri, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order Writ or direction more particularly in nature of Writ of mandamus by declaring the action of the respondents in denying concessional bus passes to the students of 5th respondent college on par with other recognized colleges as arbitrary, illegal and discriminatory and direct the respondents to extend the facility of concessional bus passes to the students of 5th respondent college.

Counsel for the Petitioners: MR.M.BRAHMA REDDY

Counsel for the Respondent No.1: The G.P. for Higher Education.

Counsel for the Respondent No.2 :Mr. K. Ramesh Babu.

Counsel for the Respondent Nos.3,4 and 6 : Mr. P. Venkateshwarlu, Standing Counsel for A.P.S.R.T.C.

Counsel for the Respondent No.5 : None appeared.

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WRIT PETITION NO : 17491 of 2002

Between:

1. D. Pothu Raju S/o Ramaiah, aged 21 years R/o Akkapalli Village, Prakasham District.

2. G. Ravi Kumar S/o Subba Rao, aged 20 years,R/o Akkapalli Village, Prakasham District.

3. G. Hari Krishna S/o Ranganayakulu, 21 years R/o Racherla village, Prakasham District.

All the petitieonrs are studying in T.R.S & SS Degree College, Paruchuru Prakasham District.

..... PETITIONERS

AND

1. A.P. State Road Transport Corporation through its Managing Director, at Musheerabad, Hyderabad.

2. The Regional Manager, A.P. State Road Transport Corporation, Ongole.

3. A.P. State Council of Higher Education, Government of Andhra Pradesh, Hyderabad.

4. The Depot Manager, A.P. State Road Transport Corporation, Chirala Dipot, Prakasham District.

5. T.R.S. & S.S. Degree College, Paruchuru Village & Mandal, Prakasham District rep. By its Correspondent.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, order or direction, declaring the action of the respondents in denying concessional bus passes to the students of fifth respondent college on part with other recognized colleges as arbitrary, illegal and discriminatory by directing the respondents to forthwith extend the facility of concessional bus passes to the students of fifth respondent college; award costs and pass such other or further orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.N.SRIDHAR REDDY

Counsel for the Respondents 1,2 and 4: MR. P.VENKATESWARLU

Counsel for the respondent 3 : Mr. K. Ramesh Babu

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Counsel for the Respondent No.5: None appeared.

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WRIT PETITION NO : 19335 of 2002

Between:

1. D. Venkata Rami Reddy, S/o. Sambatha Reddy,

   R/o. P.K.Palle village of Giddalur Mandal, Prakasam District.

2. Ch. Sivamma, D/o. Eswar Reddy,

   R/o. Anumalaveedu, Giddalur Mandal, Prakasam District.

3. M. Siddaiah, S/o. Nagoor,

   R/o. Mullapadu, Giddalur Mandal, Prakasam District.

..... PETITIONERS

AND

1. The A. P. State Road Transport Corporation, through its Managing Director, Musheerabad, Hyderabad.

2. The Regional Manager, A.P. State Road Transport Corporation, Ongole, Prakasam District.

3. The Depot Manager, A.P. State Road Transport Corporation,

Giddalur Depot, Giddalur, Prakasam District.

4. A.P. Council of Higher Education,

Government of A.P., Hyderabad.

5. Sri Srinivasa Arts and Science College,

Rep. By its Secretary and Correspondent, Giddalur, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order Writ or direction more particularly in nature of Writ of mandamus by declaring the action of the respondents 1to3 in not extending the concessional bus pass facility to the students of 5th respondent College, is illegal, arbitrary and violative of Articles 14,19 and 21 of the Constitution of India and against the principles of natural justice, and consequently direct the respondents to issue concessional bus passes to the students of 5th respondent college.

Counsel for the Petitioners: MR.CHALLA SRINIVASA REDDY

Counsel for the Respondents 1,2 and 3: Mr. P.Venkateswarlu, S.C. for APSRTC.

Counsel for the Respondent No.4 : Mr. K. Ramesh Babu

Counsel for the Respondent No.5: None appeared.

The court made the following:

COMMON ORDER:

It is represented by the learned counsel on either side that the question involved in these petitions are squarely covered by the orders of this Court in the connected Writ Petition No. 13493 of 1999 dated 25.8.2004.

Following the order in the above Writ Petition, these writ petitions are disposed of in

terms thereof, with a direction to the effect that the benefit of Scholarships for Scheduled Castes, Scheduled Tribes and Backward Classes shall be extended to the petitioners in these writ petitions and they shall also be issued concessional bus and railway passes in accordance with their respective rules and regulations without reference to the stipulations made by the Intermediate Board in respect of these two benefits while granting recognition. It is also made clear that if any applications are already pending before the authorities for extension of these benefits, the same shall be considered in accordance with the rules and regulations. No costs.

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1-11-2004

Stv/-

To

1. Government of Andhra Pradesh, rep by its Secretary, Education Department, Secretariat Buildings, Hyderabad.

2. A.P. State Council of Higher Education,

   Government of Andhra Pradesh, Hyderabad.

3. A.P. State Road Transport Corporation, rep. By its

   Managing Director, Hyderabad.

4. A.P. State Road Transport Corporation,

   Rep. By its Regional Manager, Ongole, Prakasam District.

5. NNR& CL Degree College, Ongole,

   Rep.by its Correspondent, Ongole, Prakasam District.

6. Sri Pratibha Degree College, rep. by its Correspondent,

   Ongole, Prakasam District.

7. Geetam Degree College, Ongole,

   Rep.by its Correspondent, Ongole, Prakasam District.

8. B.A. & K.R. Degree College, Ongole,

Rep.by its Correspondent, Ongole, Prakasam District.

9. Alpha Degree College, Rep.by its Correspondent, Kanigiri, Prakasam District.

10. T.R.S. & S.S. Degree College, Paruchuru Village & Mandal, Prakasham District rep. By its Correspondent.

11. Sri Srinivasa Arts and Science College, Rep. By its Secretary and Correspondent, Giddalur, Prakasam District.

12. Sri Nagarjuna Degree College by its Correspondent, Ongole, Prakasham District.

13. 2 CC to G.P. for Higher Education, High Court Buildings, High Court of A.P. Hyderabad (OUT)

14. 2 CD Copies.

15. The Depot Manager, A.P.State Road Transport Corporation, Giddalur Depot, Giddalur, Prakasam District.

16. The Depot Manager, A.P.state Road Transport Corporation, Chirala Depot, Prakasam District.

17. The Depot Manager, The A.P.State Road Transport Corporation, Kanigiri , Prakasam District.

(Along withcopy of the Order in W.P.No.13493 of 1999 dated 25.08.2004.